

JPS  
United States District Court  
Eastern District of Wisconsin

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED

2020 JAN 14 P 1:49

STEPHEN C. DRIES  
CLERK

Randall Miller

v.

Case No.: 97-cr-98 (JPS)

Warden M.D. Smith  
B.O.P. General Counsel

Appealing Denial

Compassionate Release: 18 U.S.C. 3582(c)(1)(A)

Plaintiff comes now Randall Miller who wishes to request this Honorable Court with the intent to receive mercy as by way with the blessing of the Court to grant Plaintiff a reduction in sentence and compassionate release.

Plaintiff has been incarcerated since 1997 and he has been rehabilitated and accept full responsibility for his past criminal acts that he was sentenced.

Plaintiff is letting it be known that he is more than sorry for his past transgressions, and he prays that all who were affected by his actions one day can forgive him. Plaintiff believes through constant repentance he can obtain mercy and forgiveness of all.

Plaintiff is no longer the person he once was, not only have his mind, heart, and soul has become like a construction site that had to endure the scrapes, bangs, and the bruises of being demolished by the stiff hands of Justice.

Plaintiff has been slapped down on his knees as he has been in prayers for 22 and a half years.

The Court will find upon review of Plaintiff's prison conduct record, a man of humble and respectful disposition that has respect for those in authority and the rules.

Plaintiff ask the Court to reflect on the 18 U.S.C. § 3582(c)(1)(A) in accordance with Program Statement 5050.50 Compassionate Release/Reduction in sentence.

The B.O.P. office of General Counsel in Washington DC, denial is not justified within the boundaries in which it would be of a condusive reason to have denied Plaintiff 's request for relief.

Plaintiff assert that his withering in pain does violate his Constitutional Rights to be free from torture and/or any abuse by the neglect to acknowledging that he is in a debilitating state and his physical condition is causing the psychological emotional, and physical deteriorations.

Plaintiff 's failing capacities consist of him only using the tip of his fingers, most days he needs help to eat because he is unable at times to cause his hands to conform, as into a hold position that would accomodate him to be able to hold utensils.

The phantom pains are unbearable as while the Rheumatoid Arthritis intensives it seems mos days, unable to use any physical capabilities he was granted a electric wheel chair that allows him to use three fingers that he has use of, but not without extreme pain.

Plaintiff gastroesophageal disease causes him to be unable to sometimes eat for days, leving him no options but to be on a liquid diet, which means degenerating strength in muscles and lost of energy.

Plaintiff has been unable to participate in physical therapy for strenth and balance because of the constant never ending phantom pain then the makes him totally unable to nothing but remain confined to his chair 90%, the other 10% is nightmare because of the sleep deprivations, Plaintiff sees no rest that can secure a restful night.

Plaintiff contends that pain is destroying every moment of his waking hours and when he is awaken he is distraught and depressed because he is the

components of a broken man who is nothing more but the shell of himself.

The amputation has been a nightmare that will follow him to his grave. Plaintiff's eyes are not blind to the reality that death is near, as he physically loses his eyesite from cataracts.

Section 3(b) provides that RIS consideration may be given to an inmate who has an incurable, progressive illness or who has suffered a debilitating injury from which he will not recover.

Facts of Plaintiff's Condition

- 1) Completely disable; confined to a chair
- 2) Diseases are incurable
- 3) his illnesses are progressive until the point that establishes the Plaintiff is being tortured.
- 4) Capable of only limited self-care.

Plaintiff contends that he is not a threat to no one in prison or in society and he asks that the extraordinary circumstances should not be de-emphasized.


America is known to decentralize their administrative powers or functions of central authority throughout local or regional divisions to discipline and reconstruct nations that implement tortures and persecution upon their people.

Like in the nation of Iraq where the President uthinized millions, America dismantled and reconstructed their homeland.

I ask as a native son that I be granted relief by way of Compassionate Release.

Plaintiff pray that this Honorable Court grant him mercy and end this cruel and unusual punishment.

Resepectfully submitted,  
this 7<sup>th</sup> day, January, 2020,

  
Randall Miller  
#05019-089  
MCFP Springfield  
P.O. box 4000  
Springfield, MO 65801